

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

May 22, 2009

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.:09OD-051

Oahu

Grant of Perpetual, Non-Exclusive Easement, to Sandwich Isles Communications, Inc. for Underground Communications Facilities Purposes; Waimanalo, Koolauapoko, Oahu; Tax Map Key (1) 4-1-23:067 portion

APPLICANT:

Sandwich Isles Communications, Inc., whose business and mailing address is 1003 Bishop Street, 27th Floor, Honolulu, Hawaii 96813

LEGAL REFERENCE:

Section 171-95, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Waimanalo, Koolauapoko, Oahu, identified by Tax Map Key (1) 4-1-23:067 portion as shown on the attached map labeled "Exhibit A".

AREA:

142 square feet, more or less.

ZONING:

State Land Use: Urban
City & County of Honolulu LUO: AG-1

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES _____ NO x_____

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain and repair a right-of-way over, under and

across State-owned land for underground communications facilities purposes.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Gratis

On June 22, 2007, item D-1, the Board approved gratis consideration for an interisland communication cable to the same applicant.

Applicant is certified by the Federal Communications Commission as a rural local exchange carrier. It is authorized by the State Public Utilities Commission to provide telecommunications service on lands owned by the Department of Hawaiian Home Lands (DHHL).

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

A Finding of No Significant Impact for the subdivision was published on March 23, 2007 in the Environmental Notice.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u> x </u>	NO <u> </u>
Registered business name confirmed:	YES <u> x </u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u> x </u>	NO <u> </u>

APPLICANT REQUIREMENTS:

- 1) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost.
- 2) Process and obtain subdivision at Applicant's own cost.

REMARKS:

Sandwich Isles Communications, Inc. requests a utility easement to install underground communication facilities for telephone service to the Department of Hawaiian Home Lands subdivision. The subdivision fronts both Kumuhau and Kakaina Streets and is currently under construction. Plans that include all communications infra-structure is designated to be underground. Drill work to install electrical conduits is not expected to impact the adjacent stream. Fiber optical cable will be placed into one duct to supply telephone service to the future subdivision.

Staff did not solicit comments from other governmental agencies as such has already been addressed during the environmental assessment stage. Staff has no objection to the request.

Applicant intends to commence the construction work before the end of this year. Staff recommends the Board issue a construction and management right-of-entry pending the issuance of the easement document.

RECOMMENDATION: That the Board:

- A. Subject to the Applicant fulfilling all of the Applicant Requirements listed above, authorize the issuance of a perpetual, non-exclusive easement to Sandwich Isles Communications, Inc. covering the project area for underground communication facilities purposes, under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
1. The standard terms and conditions of the most current perpetual easement document form, as may be amended from time to time;
 2. Review and approval by the Department of the Attorney General; and
 3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
- B. Issuance of a construction and management right-of-entry to Sandwich Isles Communications, Inc. covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
1. The standard terms and conditions of the most current right-of-entry document form, as may be amended from time to time and
 2. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



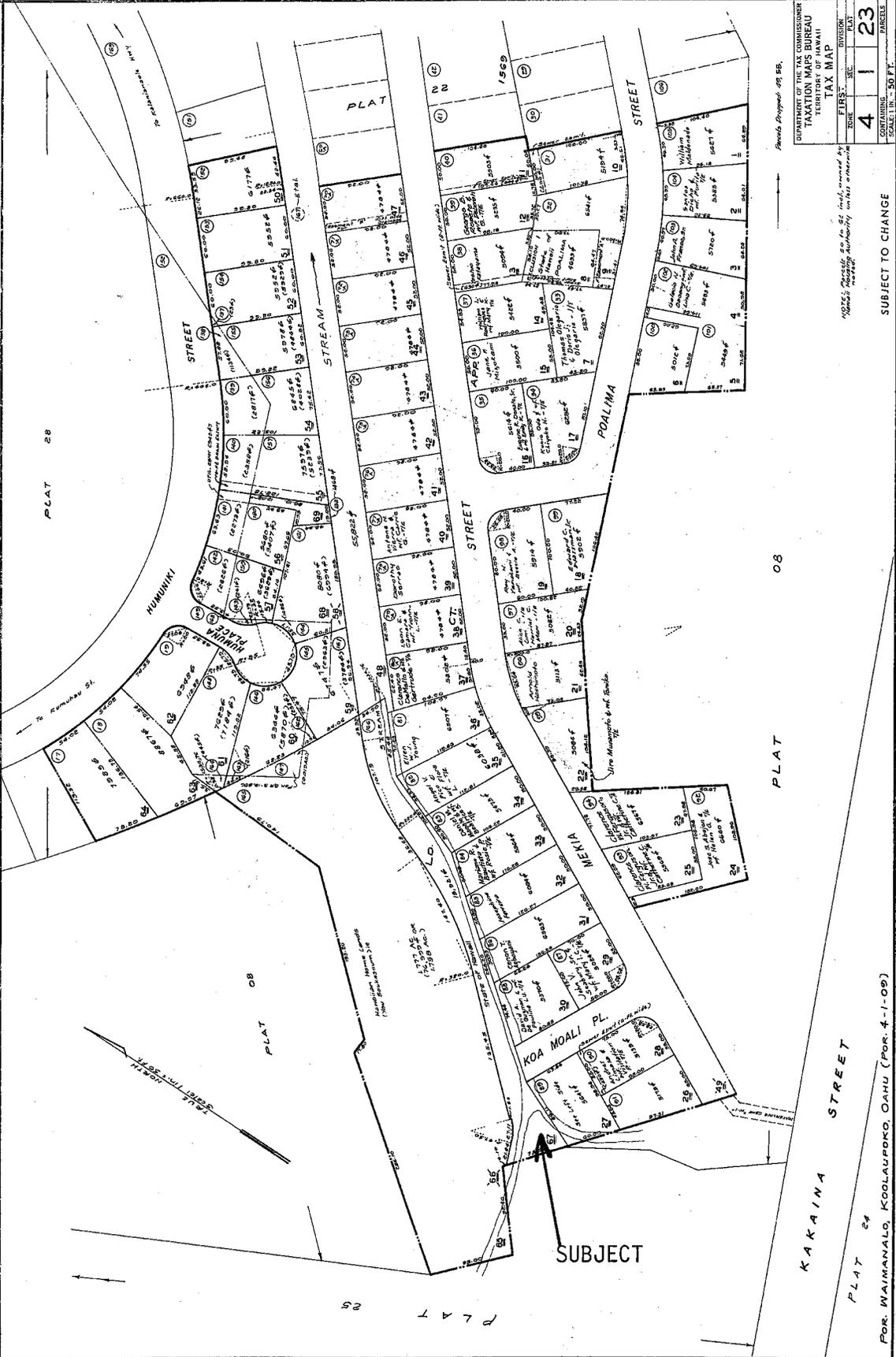
Timmy Chee
Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thiel, Chairperson





PLAT 08

PLAT 24

PLAT 23

PLAT 22

PLAT 21

PLAT 20

PLAT 19

PLAT 18

PLAT 17

PLAT 16

PLAT 15

PLAT 14

PLAT 13

PLAT 12

PLAT 11

PLAT 10

PLAT 9

PLAT 8

PLAT 7

PLAT 6

PLAT 5

PLAT 4

PLAT 3

PLAT 2

PLAT 1

DEPARTMENT OF LAND AND NATURAL RESOURCES
TAXATION MAPS BUREAU
TERRITORY OF HAWAII
TAX MAP

FILE NO.	4
SECTION	1
DIVISION	23

CONTAINING 30 PARCELS
SCALE 1 IN. = 50 FT.

1925: Corrected to include all parcels shown on this map.

1925: Corrected to include all parcels shown on this map.

PLAT 08

PLAT 24

PLAT 23

PLAT 22

PLAT 21

PLAT 20

PLAT 19

PLAT 18

PLAT 17

PLAT 16

PLAT 15

PLAT 14

PLAT 13

PLAT 12

PLAT 11

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PLAT 4

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PLAT 5

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PLAT 3

PLAT 2

PLAT 1

SUBJECT

EXHIBIT "A"

FOR WAIMANALO, KOOLAUPOKO, OAHU (FOR 4-1-09)

BY: H.N./R.V./E.H.
SOURCE: U.S. GEOLOGICAL SURVEY, MAP 5,000,000, 1925
THIS IS A TRACED REPRODUCTION OF AN ORIGINAL PLAT
DRAWN BY: H.N./R.V./E.H.
DATE: 11/11/23